

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

| | | |
|--|---|-----------------------------------|
| _____ | X | |
| KEVIN CORNWELL, Individually and On | : | Civil Action No. 08-cv-03758 |
| Behalf of All Others Similarly Situated, | : | (Consolidated) |
| | : | |
| Plaintiff, | : | <u>CLASS ACTION</u> |
| | : | |
| vs. | : | DECLARATION OF DARYL SCOTT FILED |
| | : | ON BEHALF OF SCOTT + SCOTT LLP IN |
| CREDIT SUISSE GROUP, et al., | : | SUPPORT OF APPLICATION FOR |
| | : | AWARD OF ATTORNEYS' FEES AND |
| Defendants. | : | EXPENSES |
| _____ | X | |

I, Daryl Scott, declare as follows:

1. I am an attorney at the firm Scott + Scott LLP. I am submitting this declaration in support of my firm's application for an award of attorneys' fees and expenses in connection with services rendered in the above-entitled action.

2. This firm is counsel of record for plaintiffs the Louisiana Municipal Employees' Retirement System and John Grady.

3. The identification and background of my firm and its partners is attached hereto as Exhibit A.

4. The total number of hours spent on this litigation by my firm is 3,742.60. The total lodestar amount for attorney/paralegal time based on the firm's current rates is \$2,100,311.50. The hourly rates shown below are the usual and customary rates charged for each individual in all of our cases. A breakdown of the lodestar is as follows:

| <i>NAME</i> | | <i>HOURS</i> | <i>RATE</i> | <i>LODESTAR</i> |
|-------------------|-----|--------------|-------------|-----------------|
| David Scott | (P) | 239.8 | \$750.00 | \$179,850.00 |
| Beth Kaswan | (P) | 948 | \$750.00 | \$711,000.00 |
| Arthur Shingler | (P) | 204.4 | \$700.00 | \$143,080.00 |
| Christopher Burke | (P) | 5.6 | \$700.00 | \$3,920.00 |
| Joseph Guglielmo | (P) | 114.6 | \$625.00 | \$71,625.00 |
| Judith Scolnick | (P) | 4.8 | \$700.00 | \$3,360.00 |
| Donald Broggi | (P) | 162.4 | \$575.00 | \$93,380.00 |
| Geoff Johnson | (P) | 109.4 | \$625.00 | \$68,375.00 |
| Walter Noss | (A) | 7.9 | \$575.00 | \$4,542.50 |
| Hal Cunningham | (A) | 52.7 | \$400.00 | \$21,080.00 |
| David Goldberger | (A) | 5.5 | \$400.00 | \$2,200.00 |
| Luis Lorenzana | (A) | 227.8 | \$400.00 | \$91,120.00 |
| Daryl Scott | (A) | 68.4 | \$600.00 | \$41,040.00 |
| Mike Burnett | (A) | 63.6 | \$600.00 | \$38,160.00 |
| Mary Blasy | (A) | 23.5 | \$550.00 | \$12,925.00 |
| Jay Burke | (A) | 562 | \$455.00 | \$255,710.00 |
| Amanda Lawrence | (A) | 98.8 | \$500.00 | \$49,400.00 |

| | | | | |
|-------------------|------|---------------|----------|-----------------------|
| Thomas Laughlin | (A) | 472.9 | \$400.00 | \$189,160.00 |
| Thomas Wilhelm | (A) | 166.7 | \$450.00 | \$75,015.00 |
| Stephanie Hackett | (A) | 38.4 | \$380.00 | \$14,592.00 |
| Cathy Johnson | (PL) | 20.5 | \$150.00 | \$3,075.00 |
| Ellen Dewan | (PL) | 17.5 | \$250.00 | \$4,375.00 |
| Mario Tlatenchi | (PL) | 7 | \$220.00 | \$1,540.00 |
| Cynthia McGowan | (PL) | 3.55 | \$220.00 | \$781.00 |
| Ann Slaughter | (PL) | 38.65 | \$240.00 | \$9,276.00 |
| Erika Mayo | (LC) | 70.3 | \$150.00 | \$10,545.00 |
| Nicole Veno | (LC) | 7.9 | \$150.00 | \$1,185.00 |
| TOTAL: | | 3742.6 | | \$2,100,311.50 |

5. My firm incurred a total of \$170,889.84 in expenses in connection with the prosecution of this litigation. They are broken down as follows:

EXPENSES

From Inception to June 10, 2011

| <i>EXPENSE CATEGORY</i> | <i>TOTAL</i> |
|---|---------------------|
| Meals, Hotels & Transportation | \$21,726.51 |
| Photocopies | \$9,262.82 |
| Postage | \$523.44 |
| Telephone, Facsimile | \$1,584.57 |
| Messenger, Overnight Delivery | \$786.51 |
| Filing, Witness & Other Fees | \$3,804.50 |
| Lexis, Westlaw, Online Library Research | \$3,954.93 |
| Class Action Notices/Business Wire | \$175.00 |
| Mediation Fees | \$18,875.00 |
| Experts/Consultants/Investigators | \$110,196.56 |
| <i>TOTAL</i> | \$170,889.84 |

6. The following is additional information regarding these expenses:

(a) Filing, Witness and Other Fees: \$3,804.50.

| <i>DATE</i> | <i>VENDOR</i> |
|--------------------|---|
| 09/18/2008 | Legal Language Services |
| 10/30/2009 | Class Action Research & Litigation Supp |
| 03/31/2011 | Deluxe Delivery Systems, Inc. |

(b) Meals, Hotels and Transportation: \$21,726.51. Expenses for meals, hotels and transportation were incurred for the following purposes:

| <i>NAME</i> | <i>DATE</i> | <i>DESTINATION</i> | <i>PURPOSE</i> |
|--------------------|--------------------|---------------------------|---------------------------|
| John F. Burke | 09/17-26/2008 | New York, NY | Meeting/Doc Review |
| Thomas Wilhelm | 09/03-04/2008 | New York, NY | Meeting/Complaint |
| Luis Lorenzana | 09/28-10/08/2010 | New York, NY | Doc Rev/Mediation Project |
| Arthur Shingler | 09/28-29/2010 | New York, NY | Mediation Prep |
| David R. Scott | 01/01-05/2010 | New York, NY | Mediation |
| David R. Scott | 01/05-07/2011 | New York, NY | Mediation |

(c) Photocopying:
 In-House (30,103 copies @ \$0.25 per copy): \$7,525.75
 Outside Photocopy Expenses: \$1,737.07

| <i>DATE</i> | <i>VENDOR</i> |
|--------------------|-----------------------|
| 08/05/2009 | IKON Office Solutions |
| 09/13/2010 | Itekimaging |

(d) Lexis, Westlaw, Online Library Research: \$3,954.93. These included vendors such as Disclosure, Inc., Dow Jones Interactive, Dow Jones & Co., Inc., Lexis Nexis, CDA Investment Technologies, Pacer Service Center, West Publishing Corporation, and Choice Point. These databases were used to obtain access to SEC filings, legal research and cite-checking of briefs. The charges for these vendors vary depending upon the type of services requested.

7. The expenses pertaining to this case are reflected in the books and records of this firm. These books and records are prepared from expense vouchers, check records and other documents and are an accurate record of the expenses.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 23rd day of June, 2011, at Richmond, Virginia.

A handwritten signature in black ink, appearing to read 'D Scott', is written over a horizontal line.

Daryl Scott

CERTIFICATE OF SERVICE

I hereby certify that on June 27, 2011, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on June 27, 2011.

s/ Ellen Gusikoff Stewart

ELLEN GUSIKOFF STEWART

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Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

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